

February 11 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANAForm 1
IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. _____

DA 10-0065

Kurt JN Vandervalk Pro Se
6245 Mountain Vista
Helena MT 59602
459-1621
Mtcabins@hotmail.com

FILED

FEB 11 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Kurt JN Vandervalk,

Appellant,

v.

NOTICE OF APPEAL

Montana state Fund

Appellee.

NOTICE is given that Kurt JN Vandervalk, the Appellant above-named and who is the petitioner in that cause of action filed in the Workman's compensation court, in and for the County of Lewis and Clark, as Cause No. WWC 2008-2092, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 27 day of January, 2010.

THE APPELLANT FURTHER CERTIFIES:

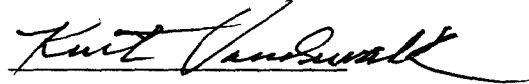
1. That this appeal is subject to the mediation process required by M. R. App. P. 7. If subject to mediation, the money judgment being sought is not less than \$5,000.
2. That this appeal is an appeal from an order certified as final under M. R. Civ. P. 54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A."
3. That the notice required by M. R. App. P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.
4. That all available transcripts of the proceedings in this cause have not been ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellant has complied with the provisions of M. R. App. P. 8(3) contemporaneously with the filing of this notice of appeal.
5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

Dated this 10th day of January 2010.
Kurt JN Vandervalk

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the Workman's comp court, each attorney of record, and each party not represented by an attorney in the above-referenced Workman's comp Court action, as follows:

Dated this 10th day of January 2010. By



C:

Greg Overturf

SAAG for MSF

PO BOX 4759

Helena Mt 59604-9124

Mt Workman's Comp Court

PO Box 537

Helena Mt 59624-0537